

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

RODERICO LECOUNT YATES,

Plaintiff,

v.

HDSP DIRECTOR OF NURSING,

Defendant.

Case No.: 2:23-cv-02008-CDS-NJK

**ORDER**

On December 5, 2023, *pro se* plaintiff Roderico Yates, an inmate in the custody of the Nevada Department of Corrections, submitted a complaint under 42 U.S.C. § 1983. Docket No. 1-1. Plaintiff has neither paid the full \$405 filing fee nor applied to proceed *in forma pauperis* in this action. *See* Docket Nos. 1, 1-2 at 3 (Plaintiff submitted merely an incomplete financial certificate).

The United States District Court for the District of Nevada must collect filing fees from parties initiating civil actions. 28 U.S.C. § 1914(a). The fee for filing a civil-rights action is \$405, which includes the \$350 filing fee and the \$55 administrative fee. *See* 28 U.S.C. § 1914(b). “Any person who is unable to prepay the fees in a civil case may apply to the court for leave to proceed *in forma pauperis*.” LSR 1-1. For an inmate to apply for *in forma pauperis* status, the inmate must submit **all three** of the following documents to the Court: (1) a completed **Application to Proceed in Forma Pauperis for Inmate**, which is pages 1–3 of the Court’s approved form, that is properly signed by the inmate twice on page 3; (2) a completed **Financial Certificate**, which is page 4 of the Court’s approved form, that is properly signed by both the inmate and a prison or jail official; and (3) a copy of the **inmate’s prison or jail trust fund account statement for the previous six-month period**. *See* 28 U.S.C. § 1915(a)(1)–(2); LSR 1-2. *In forma pauperis* status does not relieve an inmate of his or her obligation to pay the filing fee, it just means that the inmate can pay the fee in installments. *See* 28 U.S.C. § 1915(b).

1 Accordingly, for the reasons stated above,

2 IT IS ORDERED that, no later than **February 9, 2024**, Plaintiff must either pay the full  
3 \$405 filing fee or file a new fully complete application to proceed *in forma pauperis* with all three  
4 required documents: a completed application with the inmate's two signatures on page 3; a  
5 completed financial certificate that is signed both by the inmate and the prison or jail official; and  
6 a copy of the inmate's trust fund account statement for the previous six-month period.

7 IT IS FURTHER ORDERED that, if Plaintiff fails to timely comply with this order, this  
8 action will be subject to dismissal without prejudice. A dismissal without prejudice allows  
9 Plaintiff to refile the case with the Court, under a new case number, when Plaintiff can file a  
10 complete application to proceed *in forma pauperis* or pay the required filing fee.

11 The Clerk of the Court is **INSTRUCTED** to send Plaintiff the approved form application  
12 to proceed *in forma pauperis* for an inmate and instructions for the same and retain the complaint  
13 and exhibits, Docket Nos. 1-1, 1-2, but not file them at this time.

14 IT IS SO ORDERED.

15 DATED: December 11, 2023.

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19 NANCY J. KOPPE  
20 UNITED STATES MAGISTRATE JUDGE  
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